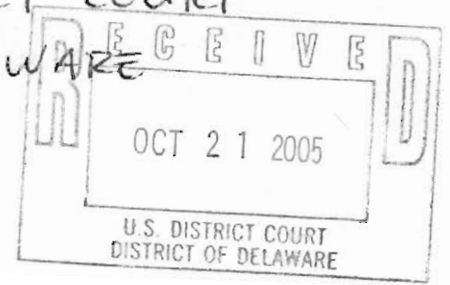


IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE



Jimmie Lewis

V.

CA. NO. 04-1350(GMS)

DR. SYLVIA FOSTER, STAFF  
MEMBERS, THE DELAWARE  
PSYCHIATRIC CENTER AND  
MR. GREY,

ANSWER TO DEFENDANTS MOTION  
TO DISMISS FOR LACK OF JURISDICTION

---

COMES NOW, THE PLAINTIFF JIMMIE LEWIS, PRO SE,  
ANSWER TO DEFENDANTS MOTION TO DISMISS FOR LACK  
OF JURISDICTION, AND IN SUPPORT ASSERTS THE FOLLOWING:

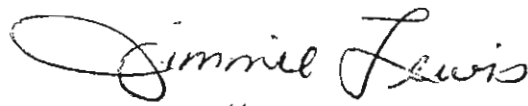
- 1.) THE DEFENDANT(S) ASSERT THAT UNDER FEDERAL  
RULES, WHEN EVER IT APPEARS BY SUGGESTION OF  
THE PARTY OR OTHERWISE THAT THE COURT LACKS  
THE JURISDICTION OF THE SUBJECT MATTER, THE COURT  
SHALL DISMISS THE ACTION CITING FED R. CIV PRO -  
12(H)(3) AND TRENT REALTY ASSOC V. FIRST FEDERAL  
SAVINGS AND LOAN ASSOC, 637 F2d. 2936 -  
(3RD CIR. 1981);

- 2.) THE DEFENDANT(S) ASSERT THAT, IN ORDER FOR THE COURT TO INVOKE ITS JURISDICTION, DIVERSITY MUST BE COMPLETE, AND THAT THE PLAINTIFF MADE NO ASSERTIONS REGARDING THE RESIDENCES OF ANY PARTY TO THIS ACTION;
- 3.) SUBSEQUENTLY, TO THE DEFENDANT(S) FILING MOTION TO DISMISS FOR LACK OF JURISDICTION, I, THE PLAINTIFF JIMMIE LEWIS, FILED A MOTION REQUESTING THE COURTS PERMISSION TO AMEND THE COMPLAINT IN ORDER TO CURE (SAID) DEFICIENCIES;
- 4.) I, THE PLAINTIFF JIMMIE LEWIS, FILED THE AMEND COMPLAINT WITH THE COURT ON OR ABOUT AUG 11, 2005, AND WITH CYNTHIA G. BEAM ESQ, ATTORNEY FOR DR. SYLVIA FOSTER ON OR ABOUT AUG 26, 2005, AND WITH PHEBE S. YOUNG ESQ, ATTORNEY FOR MR. ROBERT GRAY A.K.A (GREY), ON OR ABOUT SEPT 6, 2005,
- 5.) SAID AMENDED COMPLAINT WAS PRESENTED WITH A JS 44 CIVIL COVER SHEET CONTAINING PLEADINGS REGARDING THE PLAINTIFF AS WELL AS THE DEFENDANT(S) IN THIS ACTION, CITING THE FOLLOWING :
  - A.) BASIS FOR JURISDICTION IS, DIVERSITY,
  - B.) CITIZENSHIP OF PLAINTIFF IS, CITIZEN OF ANOTHER STATE,
  - C.) CITIZENSHIP OF DEFENDANT(S), IS CITIZEN OF ~~ANOTHER STATE~~ THIS STATE,
  - D.) U.S. CIVIL STATUTE UNDER WHICH THE CLAIM IS FILED, 28 U.S.C. A § 1332,

6.) IN REGARD TO THE AMENDED PLEADINGS CITING 28 U.S.C.A § 1332 (2), ALONG WITH THE FACT THAT I SEEK TO OBTAIN A PRELIMINARY INJUNCTION, TOGETHER WITH NOMINAL, PUNITIVE, AND COMPENSATORY RELIEF TO THE SUM OF 20 MILLION DOLLARS, VERIFY THAT SAID DEFICIENCIES HAVE BEEN CURED, AND THAT THE COURT INDEED DOES HAVE THE AUTHORITY TO INVOKE JURISDICTION REGARDING THIS ACTION.

WHEREFORE, FOR THE FORGOING REASONS DEFENDANT(S) MOTION REQUESTING THAT THE COMPLAINT BE DISMISSED FOR LACK OF JURISDICTION SHOULD BE DENIED.

DATE: 10/11/05

  
SBI # 506622  
DEL. CORR. CENTER  
1181 PADDOCK RD  
SMYRNA, DE 19977

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JIMMIE LEWIS,

V.

CA. NO. 04-1350 (GMS)

DIR. SYLVIA FOSTER, STAFF  
MEMBERS, THE DELAWARE  
PSYCHIATRIC CENTER AND  
MR. GREY,

CERTIFICATE OF SERVICE

I, THE UNDERSIGNED, DO HEREBY CERTIFY ON THIS 11<sup>TH</sup> DAY  
OF OCT, 2005, THAT (2) TWO TRUE AND CORRECT COPIES OF  
PLAINTIFF'S JIMMIE LEWIS, ANSWER TO DEFENDANTS MOTION  
TO DISMISS FOR LACK OF JURISDICTION, HAS BEEN SERVED  
BY U.S. MAIL TO THE FOLLOWING :

PIHEBE S. YOUNG #1043  
DEPUTY ATTORNEY GENERAL  
CARVEL STATE OFFICE BUILDING  
820 N. FRENCH ST, 6<sup>TH</sup> FLOOR  
WILMINGTON, DE 19801  
ATTORNEY FOR DEFENDANT(S)  
MR. ROBERT GRAY A.K.A (GREY),  
AND THE DELAWARE PSYCHIATRIC  
CENTER.

Jimmie Lewis  
SOI # 506622  
DEL. CORR. CENTER  
1181 PADDOCK RD  
SMYRNA, DE 19977

DATE : 10/11/05

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JIMMIE LEWIS

V.

DR. SYLVIA FOSTER, STAFF  
MEMBERS, THE DELAWARE  
PSYCHIATRIC CENTER AND  
MR. GREY,

CA. NO. 04-1350 (GMS)

CERTIFICATE OF SERVICE

I, THE UNDERSIGNED, DO HEREBY CERTIFY ON THIS 11<sup>TH</sup> DAY  
OF OCT, 2005, THAT (2) TWO TRUE AND CORRECT COPIES  
OF PLAINTIFF'S JIMMIE LEWIS' ANSWER TO DEFENDANTS  
MOTION TO DISMISS FOR LACK OF JURISDICTION, HAVE BEEN  
SERVED BY U.S. MAIL TO THE FOLLOWING :

CYNTHIA G. BEAM ESQ  
DEL. STATE BAR I.D NO. 2565  
1001 JEFFERSON PLAZA, SUITE 202  
WILMINGTON, DE 19801  
ATTORNEY FOR DEFENDANT DR. SYLVIA FOSTER,  
AND THE DELAWARE PSYCHIATRIC CENTER

DATE: 10/11/05

Jimmie Lewis  
SBI# 506622  
DEL. CORR. CENTER  
1181 PADDOCK RD  
SMYRNA, DE 19977



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JIMMIE LEWIS

V.

CA. NO. 04-1350 (GMS)

DR. SYLVIA FOSTER, STAFF  
MEMBERS, THE DELAWARE  
PSYCHIATRIC CENTER AND  
MR. GREY,

CERTIFICATE OF SERVICE

I, THE UNDERSIGNED, DO HEREBY CERTIFY ON THIS 11<sup>TH</sup> DAY  
OF OCT, 2005, THAT (1) ONE TRUE AND CORRECT COPY OF  
PLAINTIFF'S JIMMIE LEWIS', ~~NUMBER~~ ANSWER TO  
DEFENDANT(S) MOTION TO DISMISS FOR LACK OF JURISDICTION,  
HAS BEEN SERVED BY U.S. MAIL TO THE FOLLOWING :

JUDGE GREGORY M. SLEET  
UNITED STATES DISTRICT COURT  
J. CALEB BOGGS FEDERAL BUILDING  
844. N. KING ST, LOCK BOX 19  
WILMINGTON, DELAWARE 19801

DATE : 10/11/05

Jimmie Lewis  
SBI# 506622  
DEL. CORR. CENTER  
1181 PADDOCK RD  
SMYRNA, DE 19977